



**Committee:** Senate Judicial Proceedings Committee

**Bill Number:** Senate Bill 859

**Title:** Reproductive Health Care Protection Act

**Hearing Date:** March 1, 2023

**Position:** Favorable

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The Maryland Nurses Association (MNA) strongly supports *Senate Bill 859 – Reproductive Health Care Act*. The bill shields Maryland providers and patients from criminal, civil, and administrative penalties related to legally protected health care, including abortion and other reproductive health services.

With the *Dobbs* decision, the U.S. Supreme Court eliminated the constitutional right of individuals to choose abortion care. Now, it is entirely within a state’s purview to determine if abortion will remain legal. Maryland is among the twenty-six states where abortion rights are expected to remain protected. Maryland codified the framework of *Roe v Wade* in 1992 after a majority of Marylanders supported a ballot referendum known as Question 6.

With fourteen states banning abortion, including nearby West Virginia, many people are having to travel to seek abortion care. Some states, such as Texas and Oklahoma, have enacted laws that penalize providers or anyone helping their residents seek care. These laws are designed to have a chilling effect on the provision of abortion care to both in-state and out-of-state residents in states like Maryland.

The Reproductive Health Protection Act contains multiple provisions that protect Maryland providers and patients from out-of-state actions, such as criminal or civil investigations. For licensed practitioners, the bill also prohibits health occupation boards from disciplining a licensee because an out-of-state board disciplined the provider for the provision of reproductive health services that would have been legal in the State of Maryland. This provision is necessary to protect the licenses of nurses and other health professionals who hold licenses in other states. The bill also prohibits malpractice insurance companies from raising Maryland rates if a health care practitioner has been disciplined from providing legally protected care.

We ask for a favorable report. If we can provide any additional information, please contact Robyn Elliott at [relliott@policypartners.net](mailto:relliott@policypartners.net).